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REGULATION

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LEAVE

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1. GENERAL

a. APPLICABILITY

This Regulation provides for the administration of the Annual and Sick Leave Act of 1951, as amended, in its applicability to Agency employees covered by the provisions of the Act, and contract employees who are subject to the provisions of this Act by the terms of their contracts. It may be applied in administering leave of native and foreign national contract employees at overseas installations if desirable. Modifications should be made, however, to reflect the requirements of local law and practices. Any such modifications which expand the leave benefits herein must receive prior approval by the Assistant Director for Personnel and by the Comptroller.

b. LEAVE YEAR

The leave year ends with the last day of the pay period following the last complete pay period in the calendar year. Leave in excess of the maximum accumulations stated in paragraph 3c must be used or forfeited by the end of the leave year.

c. ACCRUED CREDITS AND MINIMUM LEAVE CHANGE

- (1) Both annual and sick leave are accrued at the rates indicated in paragraphs 3b and 4b, respectively, on a biweekly pay period basis. As a general rule, these credits are not reduced if the employee has

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been absent in a nonpay status for a brief period during a given pay period. However, at any time a full-time employee's absence in a nonpay status within a leave year totals 80 hours in one pay period, his credits for sick leave will be reduced by 4 hours, and his credits for annual leave will be reduced 4, 6, or 8 hours, according to his leave-earning category. No leave accrues to the credit of an employee who is in a nonpay status for the entire leave year.

- (2) The minimum charge for annual or sick leave is one hour. Additional leave will be charged in multiples of one hour.

d. LEAVE BALANCES

- (1) Each employee is responsible for maintaining a personal record of his leave. The Office of the Comptroller will furnish leave balances to employees once a year as a means of verifying the balance shown by this record.
- (2) During the interval between such annual reports, questions which employees may have pertaining to their leave balances must be presented in the form of a memorandum over the signature of the appropriate Administrative Officer. Telephone inquiries should be avoided whenever possible. However, in exceptional cases in which it is believed an emergency justifies a telephone inquiry by an Administrative Officer, the appropriate Payroll Branch of the Fiscal or Finance Division of the Office of the Comptroller will endeavor to furnish the information desired.

e. TRANSFER OF LEAVE FROM OTHER FEDERAL AGENCIES

- (1) The Annual and Sick Leave Act of 1951, as amended, provides for the transfer of accrued and accumulated annual and sick leave when an employee subject to the Act accepts employment in a different Federal agency. The Office of Personnel will request the leave record of Agency appointees who have prior Federal service from the former employing agency.
- (2) Pending receipt of his official leave transcript from the former employing agency, an employee may be granted up to 10 workdays of annual or sick leave upon his personal certification that the leave requested is to his credit for transfer to this Agency. This certification will state the name and address of the Federal agency from which his leave is to be transferred and will be attached to the Time and Attendance Report submitted for the employee covering the first pay period during which such leave is used.

f. EXPENSES OF PERSONAL NATURE NOT REIMBURSABLE

Expenses of an employee for postage, telephone calls, telegrams or cables, incident to his applying for leave, reporting his leave taken, inquiring about his leave balances, etc., are of a personal nature and reimbursement therefor from official funds will not be allowed.

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g. UNAUTHORIZED ABSENCE

An employee detained by causes beyond his control and unable to report at the opening hour, should notify his supervisor as soon as possible on the first day of absence. Absence from duty for any cause, without prior permission, must be satisfactorily explained; otherwise, it will be charged as absence without leave and the employee will be subject to disciplinary action.

h. TEMPORARY REPLACEMENTS FOR EMPLOYEES ON EXTENDED LEAVE OF ABSENCE

- (1) Temporary "identical additional" positions may be authorized by the Assistant Director for Personnel or his designee to permit employment of a replacement for an employee granted a leave of absence for more than 60 days.
- (2) Request for the establishment of a temporary position will be submitted to the Office of Personnel on Standard Form 52, Request for Personnel Action, in triplicate. Item A, Remarks, will identify the specific position and state the name of the regular incumbent and the type and inclusive dates of the leave period.
- (3) Request for action to obtain the temporary replacement either by recruitment or by in-service action (e. g., Reassignment), will be prepared and submitted in accordance with instructions applicable to the type of action involved

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2. ADMINISTRATIVE RESPONSIBILITIES

a. SUPERVISORY OFFICIALS

The administration of leave is essentially a supervisory responsibility. Accordingly, the authority for approval of leave should be delegated to the lowest supervisory level consistent with the requirements of this Regulation.

- (1) The Assistant Directors of the Office of the Deputy Director (Intelligence), the Chiefs of Administrative Offices of the Office of the Deputy Director (Administration), the Chiefs of Senior Staffs and Area Divisions of the Office of the Deputy Director (Plans), the Director of Training, the Assistant Director for Communications, and the Assistant Director for Personnel are responsible for the administration of leave within their respective jurisdictions. They, and their subordinate officials designated in accordance with paragraph (2) immediately below, hereinafter will be referred to as "approving officials".
- (2) The officials listed in paragraph (1) above may, in their discretion, delegate to supervisory personnel under their jurisdiction, in headquarters and in the field, the authority to approve periods of leave covering 30 calendar days or less.

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- (3) Approving officials may approve leave requested by employees under their jurisdiction except as provided in paragraph b below. In those cases requiring final approval by the Assistant Director for Personnel, they will recommend the action to be taken.

b. ASSISTANT DIRECTOR FOR PERSONNEL

- (1) The Assistant Director for Personnel is responsible for assisting supervisory officials in exercising their responsibilities by establishing standards for their guidance.
- (2) He, or his designee, will act as the final approving authority for requests for advance sick leave, maternity leave in excess of 6 months, and extensions of leave without pay beyond 12 months.

c. COMPTROLLER

The Comptroller is responsible for assuring that leave reported has been properly authorized in accordance with this Regulation and for maintaining official leave records for each employee.

3. ANNUAL LEAVE

a. POLICY

- (1) Annual leave will be granted to employees at such times and in such amounts as local work conditions permit. To the extent permitted by work conditions, supervisors should plan to allow each individual an extended period of leave for rest and relaxation each year.
- (2) Although annual leave is a right of the individual in that its accrual within statutory provisions may not be denied and in that the individual is entitled to payment for specified balances upon separation, it is nevertheless the prerogative of the Agency to make the final decision on when leave is to be used.
- (3) Personnel must be given an opportunity to take leave which would otherwise be forfeited. While it is desirable that such opportunity be provided at a time desired by the individual concerned, it may be established by the approving official if work conditions require. Denial of leave will be based on factors which are reasonable and equitable and which do not discriminate against individuals.
- (4) Employees of the Agency are expected to plan vacations and leave periods when their services can best be spared. When emergency conditions require maximum attendance, employees may be required to forego scheduled leave until such time as their services may be spared without undue detriment to the operations of the Agency.

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b. ACCRUAL OF ANNUAL LEAVE

- (1) Employees shall be entitled to annual leave only after having been currently employed for a continuous period of 90 days under one or more appointments without a break in service. Although a separation of one or more workdays constitutes a break in service, leave without pay during the 90-day qualifying period is not a break in service.
- (2) Full-time employees are entitled to annual leave with pay which shall accrue as follows:
 - (a) Employees with less than 3 years of service: One-half day for each biweekly pay period.
 - (b) Employees with 3 but less than 15 years of service: Three-fourths day for each full biweekly pay period, except that the accrual for the last full biweekly pay period in the calendar year shall be $1\frac{1}{4}$ days.
 - (c) Employees with 15 or more years of service: One day for each full biweekly pay period.
- (3) Part-time and "when actually employed" employees for whom there has been properly established in advance a regular tour of duty of 1 or more days during each administrative workweek shall earn leave as follows:
 - (a) Employees with less than 3 years of service: One hour of annual leave for each 20 hours in pay status.
 - (b) Employees with three but less than 15 years of service: One hour of annual leave for each 13 hours in pay status.
 - (c) Employees with 15 or more years of service: One hour of annual leave for each 10 hours in pay status.
- (4) Any change in the rate of accrual of annual leave by an employee shall take effect as of the beginning of the pay period following completion of the required period of service.

c. ACCUMULATION OF ANNUAL LEAVE

(1) Maximum Accumulation

Within the limitations stated in (a) and (b) below, an employee may, during any leave year, accumulate his unused accrued leave for use in succeeding years. Except as provided in paragraph (2) below, an employee who has not used annual leave to his credit in excess of the maximum indicated by the beginning of any leave year will forfeit such leave.

- (a) Except for those categories of employees serving overseas who are

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specified in paragraph (b) immediately below, employees are limited to an accumulation of 30 days of annual leave.

(b) The following categories of employees who are stationed outside the several States and the District of Columbia are limited to an accumulation of 45 days of annual leave:

(1) Persons directly recruited in or transferred from the United States by the Federal Government.

(2) Persons employed locally but:

(a) Who were originally recruited from the United States and have been in substantially continuous employment by other Federal agencies; United States firms, interests, or organizations; international organizations in which the United States Government participates, or foreign governments, and whose conditions of employment provide for their return transportation to the United States.

(b) Who were at the time of employment temporarily absent from the United States for purposes of travel or formal study, and maintained residence in the United States during such temporary absence.

(3) Persons accepting employment who normally are not residents of the area concerned and who are discharged from the military service of the United States.

(2) Exceptions to Maximum Accumulation

Accumulated annual leave to the credit of the employee which is in excess of that authorized by paragraph (1) above will remain to his credit until used in either of the cases described below.

(a) When the amount of accumulated annual leave to the employee's credit immediately following the last complete biweekly pay period in calendar year 1952 (20 December 1952), or the corresponding pay period for an employee not paid on the basis of biweekly pay period was in excess of the 30 or 45 days allowable under paragraph (1) above under the provisions of law then applicable to the employee; or

(b) When an employee who has been eligible for an accumulation of 45 days under paragraph (1)(b) above becomes subject to the 30-day limitation under paragraph (1)(a) above.

However, when such an employee uses more leave than he earns during any succeeding leave year, he may not regain as accumulated leave the hours used in excess of those earned.

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d. ADVANCE ANNUAL LEAVE

- (1) In an emergency, an employee who has completed 90 days of continuous service may be granted advance annual leave in an amount which will not exceed that which he will have accrued at the close of the current leave year. However, if such leave has not been earned by the close of the leave year, the employee will be required to make a refund for the unearned leave.
- (2) Annual leave will not be advanced to an employee holding a limited appointment, or one expiring on a specified date, in excess of the total annual leave that would accrue during the remaining period of such appointment. An individual who has exhausted his annual leave and who will require recurring advances of annual leave may be granted a blanket authorization for an advance of the remainder of the leave which will accrue to him during the current leave year.
- (3) Applications for advance annual leave will be submitted to the appropriate approving official designated in accordance with paragraph 2a above. Within the limitations stated in (1) and (2) immediately above respecting the amount of leave which may be advanced, approving officials will consider such requests on the same basis as requests for use of accrued annual leave.
- (4) If the application for advance annual leave is approved, a copy of the approved request will be forwarded by the final approving authority, as appropriate, to the Payroll Branch of the appropriate Division of the Office of the Comptroller.

e. TERMINAL PAY FOR ACCRUED ANNUAL LEAVE

- (1) When an employee is separated from the Federal service, a lump-sum payment will be made to liquidate annual leave to his credit which is not in excess of 30 days or the number of days carried over to his credit at the beginning of the leave year during which he is separated, whichever is the greater.
- (2) If an employee who has received a lump-sum payment is reemployed in the Federal or District of Columbia government (except in a position exempted by section 202(b)(1)(B), (C), or (H) of the Annual and Sick Leave Act of 1951, as amended), he must refund to the employing agency an amount equal to the compensation covering the period between the date of re-employment and the expiration of such leave period. The leave represented by such a refund will be credited to him by the employing agency as follows:
 - (a) If he is reemployed under the same leave system, leave will be recredited in an amount equal to the amount of leave represented by the refund.
 - (b) If he is reemployed under a different leave system, leave will be

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recredited on an adjusted basis in accordance with regulations of the Civil Service Commission.

(c) If he is reemployed in a position exempted by section 202(c)(1) of the Annual and Sick Leave Act of 1951, as amended, such leave will be deemed to have remained to his credit.

- (3) During entrance-on-duty processing, the Office of Personnel will ascertain whether each new employee has received a lump-sum payment for which a refund may be due. Individuals who may be required to make a refund will be referred to the Fiscal or Finance Division of the Office of the Comptroller, as appropriate, to make necessary arrangements for payment. Whenever possible, refunds will be made immediately in a lump sum.

f. APPLICATION FOR ANNUAL LEAVE

- (1) Standard Form 71, Application for Leave, will be used for prior written requests for annual leave. This form will not be required when the employee will be present to initial his Time and Attendance Report for the pay period during which the leave was used prior to its submission to the appropriate Payroll Branch. However, processing of the employee's check will be delayed unless his Time and Attendance Report has been initialed for each day of leave involved or is accompanied by Standard Form 71 unless his supervisor or the Time and Attendance clerk certifies to the leave. In these cases, the employee will be required to complete Standard Form 71 verifying the leave as reported as soon as possible.
- (2) Requests for advance annual leave will be submitted by memorandum addressed to the appropriate approving official designated in accordance with paragraph 2 above. Advance annual leave will be reported on Time and Attendance Reports as it is used.

h. SICK LEAVE

a. POLICY

Approving officials of the Agency will authorize the use of sick leave in all bona fide cases. The accrued and accumulated sick leave to the employee's credit is available for use in the following circumstances:

- (1) When it is established that the employee is incapacitated for the performance of duty because of sickness, injury, or pregnancy and confinement.
- (2) For medical, dental, or optical examination or treatment, when leave is approved in advance by the supervisor.
- (3) When a member of the immediate family is afflicted with a contagious disease and requires care and attention by the employee.
- (4) When, through exposure to contagious disease, the presence of the employee at his post of duty would jeopardize the health of others.

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b. ACCRUAL OF SICK LEAVE

- (1) Full-time employees are entitled to sick leave with pay, which shall accrue on the basis of one-half day for each full biweekly pay period.
- (2) Part-time and "when actually employed" employees for whom there has been properly established in advance a regular tour of duty of 1 or more days during each administrative workweek, are entitled to sick leave with pay, which shall accrue on the basis of 1 hour for each 20 hours in a pay status.
- (3) Sick leave may be accumulated without limit and available for use in succeeding years.

c. APPROVAL OF SICK LEAVE

Use of sick leave is subject to the approval of the approving official designated in accordance with paragraph 2a above. Absences of three workdays or less require the personal certification of the employee as to his incapacity for duty. This certification is made by the employee's initialing the period of absence on his Time and Attendance Report. Absences in excess of three workdays are required to be supported by medical certificate or other evidence administratively acceptable. (If the employee was not attended by a physician, a statement by the employee explaining why the services of a physician were not obtained may be accepted in lieu of a medical certificate. When sick leave has been requested for absence necessary to obtain repairs or adjustments of prosthetic appliances, a statement from the company making the repairs or adjustments may be accepted in lieu of a medical certificate.)

d. ADVANCE NOTICE OF SICK LEAVE

Advance written application for sick leave on Standard Form 71, Application for Leave, is required in all cases in which the absence can be foreseen. An employee who is absent on account of unforeseen illness should notify his supervisor as early as practicable on the first day of the absence (generally within the first two hours of work or as soon thereafter as possible). Failure to give such notice may result in a charge to annual leave or leave without pay, as the circumstances may justify. Approval of the absence should be given at the time of notification unless there is reason to doubt that the absence may be a proper charge to sick leave.

e. REPORT TO MEDICAL OFFICE

The following reporting procedures have been established to carry out the preventive health program of the Medical Office:

- (1) Upon his return to duty, an employee in the Washington area who has taken more than three consecutive days of sick leave will report his absence to the Medical Office by completing Standard Form 71, Application for Leave. The employee's telephone extension and the nature of his

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illness will be indicated on the reverse side of the form under "Remarks" and the form forwarded directly to the Chief Nurse, Medical Office. (If SF-71 has been used to obtain the medical certificate required by paragraph 4c, above, an additional copy will be prepared; the medical certificate and the signature of the approving official are not required on the additional copy, however.

- (2) Employees in the Washington area who take sick leave for a contagious disease will report in person to the Medical Office, prior to their return to duty.
- (3) Employees in the Washington area who are returning to duty from sick leave of three calendar weeks or more will report to the Medical Office for examination.
- (4) Administrative Officers or other personnel responsible for maintaining employees' time and attendance records are expected to remind employees of these requirements when they return to duty from a period of sick leave.

f. ADVANCE SICK LEAVE

- (1) In case of serious disability or ailment, and when required by the exigencies of the situation, employees may be advanced sick leave not to exceed 30 days.
 - (a) Advance sick leave is charged against sick leave which will be earned in the future. However, less than 8 hours sick leave will not be advanced to an employee who has sufficient annual leave to his credit to cover such request.
 - (b) An individual who has exhausted his sick leave and who will require recurring advances of sick leave may be granted a blanket authorization for an advance of the remainder of the leave which will accrue to him during the current leave year and, if warranted by the circumstances, up to 30 days.
- (2) Sick leave will not be advanced to an employee holding a limited appointment or one expiring on a specified date, in excess of the total sick leave which will accrue during the remaining period of such appointment.
- (3) When an employee applies for more sick leave than he has accumulated or may properly be advanced, the excess leave will be charged against annual leave, if available, or to leave without pay if annual leave is unavailable.
- (4) An employee separated from the service must refund the amount paid him for any unliquidated advanced sick leave which cannot be covered by annual leave to his credit, except when separation is due to:
 - (a) Death

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(b) Retirement for disability

(c) Inability to return to duty because of disability, evidence of which is supported by an acceptable medical certificate.

(5) Applications for advance sick leave will be submitted to the approving officials designated in accordance with paragraph 2a above for review and recommendation. Each application must be accompanied by a certificate from the attending physician as to the nature of the illness and the estimated date the employee will be able to return to duty.

(6) Applications will be forwarded to the Office of Personnel for approval. The Assistant Director for Personnel will obtain the recommendation of the Chief, Medical Staff, before taking final action.

g. SUBSTITUTION OF SICK FOR ANNUAL LEAVE

When sickness occurs within a period of annual leave, sick leave may be granted to cover the period of illness, in which event the deduction against annual leave for this period will be converted. Applications for such substitutions must be made within two workdays after return to duty and must be supported by a medical certificate, or other evidence administratively acceptable.

5. LEAVE IN THE UNITED STATES FOR EMPLOYEES SERVING IN FOREIGN COUNTRIES

a. POLICY

(1) General

Annual leave and payment of travel expenses of the employee and his family to return to his residence in the United States or its Territories and possessions and return to the post of assignment (or new post if reassigned in the interim) will be granted to an employee following completion of his prescribed tour of duty or as soon as possible thereafter in accordance with the individual eligibility criteria set forth in paragraph (2) below. While he is on such leave, the employee shall not be available for work or duties except as follows: in the Agency, for training or reorientation for work, or, when authorized, for military leave. Any time required for such work, duty, training, or military leave shall not be counted as annual leave.

(2) Eligibility

The employee must qualify under all the following conditions:

- (a) He must have served a minimum of two years' continuous service abroad. (See paragraph 5b below.)
- (b) He must have been a resident of the United States, its Territories or possessions, at the time of his employment by the Government.
- (c) He must have to his credit, at the time his travel begins, sufficient accrued and accumulated annual leave to carry him in a pay status for at least 30 calendar days.

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- (d) In the event that immediate return to an overseas post upon completion of leave in the United States is not contained in the travel order authorizing such leave, that he acknowledge in writing his willingness to return to an overseas assignment with this Agency. (See paragraph 3c below).

b. COMPUTATION OF CONTINUOUS SERVICE ABROAD

Computation of the required two years' continuous service abroad shall begin when the employee officially reports for duty at a permanent duty station or when authorized at an intermediate overseas field station while enroute to or from a permanent station. This period will not include time spent in the United States, its Territories or possessions, on approved annual or sick leave or leave without pay. Although such leave taken does not constitute a break in "continuous service abroad," it does not count as "service abroad". Thus, the period of "continuous service abroad" must be extended beyond the original two calendar years for a period equal to the amount of such leave taken.

c. RETURN TO AN OVERSEAS ASSIGNMENT

When it is not known in advance that the employee will be immediately returning to an overseas post upon completion of leave in the United States, the official responsible for approving the leave must be guided by his knowledge of the conditions and of the individual's willingness to accept such assignment. There must be a reasonable expectation on the part of the Agency that the employee will return to an overseas assignment. In some cases, such as those in which the returning employee is medically disqualified for overseas service or when the employee is returning for the purpose of resigning, there is obviously no "reasonable expectation on the part of the Agency" that he will return to an overseas assignment. Approving officials who desire assistance in making this determination in individual cases may obtain the advice of the Assistant Director for Personnel or his designee.

d. PAYMENT OF TRAVEL EXPENSES

Requirements and procedures concerning the payment of travel expenses are contained in Agency travel regulations and in [REDACTED] Travel Processing Guide.

e. EXEMPTION OF NECESSARY TRAVEL TIME

- (1) Except as provided in paragraph (2) immediately below, the period of leave granted shall be exclusive of the time actually and necessarily occupied in awaiting transportation and in going to and from residence in the United States, its Territories or possessions.

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- (2) Annual or sick leave or leave without pay granted under the circumstances set forth in paragraph 5b above shall be calculated from the time of departure from the assigned post of duty and will include all the elapsed normal working time away from the post.

6. MATERNITY LEAVE

a. POLICY

When an individual employed without time limitation becomes incapacitated for performance of her duties because of pregnancy and confinement, she may be granted maternity leave, normally not in excess of six months, which may include accumulated sick and annual leave and leave without pay. When the employee does not intend to return, she must resign ~~but~~ may be permitted to use accrued sick leave to her credit prior to the effective date of resignation.

b. APPLICATION FOR MATERNITY LEAVE

- (1) Application for maternity leave will be made by memorandum signed by the employee and accompanied by a statement from the attending physician certifying as to her pregnancy and incapacity for performance of her duties. This request must state the employee's intention of returning to duty at the expiration of the leave period. If 60 or more days of leave without pay is required, the request should be submitted in accordance with paragraph 10d of this Regulation.

c. APPROVAL OF MATERNITY LEAVE

(1) When Request Does Not Exceed Six Months

When the requested period does not exceed six months, application for maternity leave will be submitted to the approving official designated in accordance with paragraph 2a above for approval. Standard Form 52, Request for Personnel Action, will be prepared to show the approval of the appropriate official. One copy of each approved request will be forwarded to the Office of Personnel and two copies to the Payroll Branch of the appropriate Division of the Office of the Comptroller.

(2) When Request Exceeds Six Months

Approval of additional maternity leave may be granted by the Assistant Director for Personnel or his designee upon receipt of written advice from the attending physician certifying as to the medical necessity for the leave and the recommendation of the approving official designated in accordance with paragraph 2a above. If the requested period exceeds six months, Standard Form 52, Request

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for Personnel Action, will be prepared to show the recommendation of the appropriate approving official. Three copies of the form will be forwarded to the Office of Personnel. If the request is approved, two copies of the form will be forwarded to the Payroll Branch of the appropriate Division of the Office of the Comptroller by the Office of Personnel.

d. FINAL CLEARANCE

Upon receipt of Standard Form 52, the Office of Personnel will interview the employee concerned. She will be required to obtain clearance on Form No. 34-30, Final Payment Clearance Sheet.

7. MILITARY LEAVE

- a. Military leave for training purposes only, not to exceed 15 calendar days in any one calendar year, may be granted with pay without charge to annual leave to members of reserve components of the armed services of the United States. Saturdays and Sundays will be included in the 15-calendar-day leave period only when such leave includes the preceding Friday and the following Monday.
- b. In addition to the leave provided in paragraph a above, members of the National Guard of the District of Columbia will be granted leave with pay when ordered by competent authority to report for parade or encampment duty.
- c. Application will be made on Standard Form 71, Application for Leave, specifying military training leave under "Other", and submitted in duplicate to the approving official. Upon approval, one copy of the SF-71 will be retained by the approving official and one copy will be filed with the Time and Attendance Report at the time the absence is first reported. A third copy of the SF-71, from which security and organizational information must be deleted, may be completed for the military unit if required. Immediately prior to his departure for military leave, the employee will leave with his supervisor two certified copies of the military orders, one of which will be attached to the Time and Attendance Report for the period which first includes any part or all of the military leave. The second copy will be forwarded to the Office of Personnel for inclusion in the personnel folder. (See paragraph 2f of Regulation [REDACTED])

8. COURT LEAVE

- a. Employees are expected to perform jury service whenever possible without serious interference with Agency operations. An official Agency request for an excuse from duty will be made only on the basis of unusual pressure of work, security of operations, or other adequate official reasons. Except when based on security considerations, the request will normally be for a postponement rather than an excuse from duty. Requests for excuse from or postponement of jury duty will be forwarded through an Assistant

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Director of the Office of the Deputy Director (Intelligence), the Chief of an Administrative Office of the Office of the Deputy Director (Administration), the Chief of a Senior Staff or Area Division of the Office of the Deputy Director (Plans), the Director of Training, the Assistant Director for Personnel or Communications, whichever is concerned, to the General Counsel for action.

- b. A full-time or "when actually employed" employee for whom there has been properly established in advance a regular tour of duty of one or more days during each administrative workweek, who attends court as a witness on behalf of the United States or the government of the District of Columbia, or for jury duty in a State, District of Columbia, or Federal court, is entitled to his regular pay while absent from duty, and no charge for leave is made. Evidence of attendance at court and evidence of receipt or nonreceipt of fees is required. Applications for court leave will be processed in the same manner as applications for advance annual leave.
- c. An employee may be granted court leave to serve as a witness if the value of his testimony rises from his official capacity. Annual leave or LWOP will be granted when an employee is absent from duty because of private litigation.
- d. Employees who serve as witnesses or jurors and are granted court or official leave will surrender to the Fiscal or Finance Division, as appropriate, Office of the Comptroller, fees received from courts for days on which the employee normally would have worked. Federal employees called for jury duty in the District of Columbia are not paid usual jury fees. An employee who appears in any court in any capacity must report to the Director of Security for briefing on security regulations prior to the date of his appearance in court.

9. ABSENCE FOR REGISTRATION AND VOTING

- a. Insofar as may be practicable without interfering seriously with production, employees who desire to vote at communities where they maintain voting residence, except where voting by absentee ballot is permitted, will be excused for that purpose, without charge to leave, for a reasonable time on all election days. Further, employees who will be voting in jurisdictions which require registration in person will be excused for that purpose, without charge to leave, for a reasonable time during the registration periods specified by the jurisdiction in which they will vote. Such authorized absence should not exceed the time actually required to vote or register, as the case may be and in no event shall it exceed one workday for each election or registration period.
- b. In those cases when an employee requests additional leave for voting or registration which will require longer than one day in order to enable him to go to his legal residence to vote or register, permission will be granted whenever practicable and the period of absence in excess of one day will be charged to annual leave or, if annual leave is exhausted, to leave without pay.

10. LEAVE WITHOUT PAY

- a. AUTHORIZATION
Approved For Release 2002/01/23 : CIA-RDP78-04718A001100130036-8
(1) The authorization of leave without pay is a matter of administrative

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discretion. An employee cannot demand that he be granted leave without pay as a matter of right, except in the case of disabled veterans, who are entitled to leave without pay if necessary for medical treatment, under Executive Order No. 5396.

- (2) Except for the special rules applicable to maternity leave (paragraph 6), leave without pay not exceeding twelve months may be granted by approving officials designated in paragraph 2a above to personnel employed without time limitation. Extension of leave without pay beyond twelve months must be approved by the Assistant Director for Personnel. (See paragraph 10c below.)

b. GUIDES TO APPROVAL

- (1) Requests for brief periods of leave without pay by employees without sick or annual leave, as appropriate, to their credit should be considered on generally the same basis as requests for sick or annual leave. However, consideration should be given to whether the request is the result of excessive use of leave.
- (2) Employees serving overseas may be granted leave without pay under the following conditions:
 - (a) Leave without pay for the personal convenience of the employee may be granted for an aggregate maximum of 30 workdays during a two-year tour. Such leave may be granted even though the employee has annual leave to his credit so that he may accumulate annual leave for use as provided in paragraph 5 above; however, the fact that an employee has taken leave without pay for this reason does not affect the forfeiture of excess leave in accordance with paragraph 3c above.
 - (b) Leave without pay may be granted upon request by the employee because of illness or injury whether or not he has annual or sick leave to his credit. Such leave without pay does not break the continuity of his service in qualifying for leave under paragraph 5 above. If taken overseas, such leave without pay does not extend the employee's tour of duty; however, the amount of such leave without pay taken in the United States does extend the tour for an equal period.
- (3) Requests for longer periods of leave without pay should be reviewed to assure that the interests of the Agency or the serious needs of the employee are sufficient to justify the costs and administrative inconveniences which result from retention of an employee in a leave-without-pay status. As a basic condition to approval, there should be

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reasonable expectation that the employee will return at the end of the approved period, and it should be apparent that at least one of the following benefits would result:

- (a) The employee will acquire increased job ability. For example, when the leave is requested for educational purposes and the course of study or research is in line with a type of work which the employee might be expected to perform for the Agency. Also, when the request is made to permit temporary employment with non-Federal public or private enterprise and his service will contribute to the public welfare, or the experience he will gain will serve the interests of the Agency.
- (b) The leave of absence is necessary for the protection or improvement of the employee's health. For example, to permit recovery from illness or disability which is not of a permanent or disqualifying nature, when continued employment or immediate return to employment would threaten impairment of the employee's health or the health of other employees. Also, to permit the employee to remain on the Agency's rolls pending final action on a claim for disability retirement or a claim under the Federal Employees' Compensation Act.
- (c) The leave of absence is necessary to retain a desirable employee.

c. EXTENSION OF LEAVE WITHOUT PAY

Leave without pay will not be authorized initially for any period in excess of twelve months. Extension of leave without pay beyond twelve months may be approved by the Assistant Director for Personnel or his designee. Extension will be approved only when the interests of the Agency will be furthered or when it is administratively determined that, because of unusual circumstances, the employee would be subjected to undue hardship if the extension were denied. Application for extension will be forwarded on Standard Form 52, Request for Personnel Action, to the Office of Personnel with the recommendation of an Assistant Director of the Office of the Deputy Director (Intelligence), the Chief of an Administrative Office of the Office of the Deputy Director (Administration), the Chief of a Senior Staff or Area Division of the Office of the Deputy Director (Plans), the Director of Training, or the Assistant Director for Personnel or Communications, whichever is concerned.

d. PREPARATION OF REQUEST

Standard Form 52, Request for Personnel Action, will be prepared and forwarded to the Office of Personnel in accordance with [REDACTED] to report approval of leave without pay for periods over 30 calendar days to 12 months. Standard Form 50, Notification of Personnel Action (or Standard Form 52, Request for Personnel Action, in lieu thereof) will be issued by the Office of Personnel when leave without pay, or an extension or renewal thereof, is approved for 30 calendar days or more.

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e. FINAL CLEARANCE FOR EXTENDED LEAVE OF ABSENCE

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Employees who are granted an extended period of leave without pay (60 days or more) will, prior to the beginning of such leave, execute Form No. 34-30, Final Payment Clearance Sheet. In addition, employees will be security interviewed pursuant to [REDACTED]

- f. Employees will advise the Office of Personnel at least 30 days in advance of their anticipated return to duty in order that appropriate security approval may be obtained.

FOR THE DIRECTOR OF CENTRAL INTELLIGENCE:

DISTRIBUTION: AB